

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

INTHANOUSONE BORIHANE,

Plaintiff,

v.

9:05-CV-1256

ROBERT OUTHOUSE, Sheriff,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

INTHANOUSONE BORIHANE, *pro se*

FOR THE DEFENDANT:

GOLDBERG SEGALLA, LLP
5789 Widewaters Parkway
Syracuse, New York 13214

KENNETH M. ALWEIS, ESQ.
SANDRA J. SABOURIN, ESQ.

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 25th day of June, 2007. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

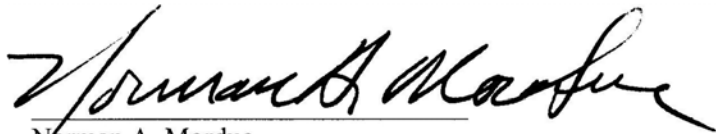
1. The Report-Recommendation is hereby approved.
2. The defendant's motion seeking the entry of summary judgment dismissing plaintiff's

complaint against him (Dkt. No. 22) is granted, and the plaintiff's complaint is dismissed in all respects on the basis of mootness.

3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: July 18, 2007
Syracuse, New York

A handwritten signature in black ink, appearing to read "Norman A. Mordue", written over a horizontal line.

Norman A. Mordue
Chief United States District Court Judge